

REMARKS

Applicants have added claim 9. Claims 1, 4-6 and 9 are now pending in the application.

In the Final Office Action, claims 1-3 and 6-7 were rejected under 35 U.S.C. 102(e) as being anticipated by Klinker (US 2007/0140128). Claim 4 was rejected under 35 U.S.C. 103(a) as being obvious over Klinker in view of Hernandez-Valencia (US 6,266,327) and claim 5 over Klinker in view of Aoki (US 6,757,255)

Applicants have amended claims 1 and 4-6, and have added claim 9 to more clearly define the invention.

Regarding the packet receiving portion, the limitation of “if it is necessary to save the packet, the packet is transferred for data retention, or unless it is necessary to save the packet, the packet is transferred for packet analysis” has been added to claim 1. This limitation is described more fully in the specification, for example on page 9, lines 13-18.

Regarding the nonconformity comparison determination portion, it compares the analysis result of the packet of the packet filter/analysis portion 1c, the TCP connection information created by the connection information calculating portion 1d, the normal information estimated by the normal information estimating portion 1f, and the nonconformity information saved in the nonconformity information saving portion 1i. These limitations are explained more fully in the specification, for example on page 12 of the specification.

As stated in the Advisory Action dated May 18, 2009, the Examiner indicated that there are distinctions between the invention and the cited art, particularly Klinker. Applicants have amended the claims to more clearly reflect the patentable elements of the invention in the claims.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 010755.52992US).

Respectfully submitted,

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